

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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:
UNITED STATES OF AMERICA :
:
v. :
:
ALAIN KALOYEROS, :
STEVEN AIELLO, :
JOSEPH GERARDI, and :
LOUIS CIMINELLI, :
:
Defendants. :
:
-----X

Case No. 16-cr-00776 (VEC)

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 7/1/2022

~~PROPOSED~~ ORDER

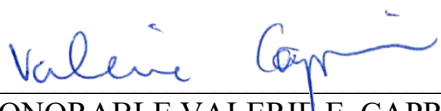
THIS MATTER having come before the Court upon the unopposed application of Defendants Alain Kaloyeros, Louis Ciminelli, Steven Aiello, and Joseph Gerardi (“Moving Defendants”) (ECF No. 1043); and the Court having considered the relevant papers and arguments; and the Court finding by clear and convincing evidence that Moving Defendants are neither a flight risk nor a safety concern; and the Court finding that Moving Defendants’ appeal raises substantial questions justifying release on bail; and for other good cause shown:

IT IS, on this 1st day of July 2022:

1. **ORDERED** that Moving Defendants’ Motion for Bail is GRANTED pending disposition of *Ciminelli v. United States* (No. 21-1170) and *Percoco v. United States* (No. 21-1158) in the United States Supreme Court and, in the event Moving Defendants’ conviction is not affirmed, for such additional time as the case remains on appeal; and it is further

2. **ORDERED** that, in accordance with the above, the Bureau of Prisons shall release Moving Defendants FORTHWITH; and it is further
3. **ORDERED** that the conditions of bail in place immediately prior to Moving Defendants' surrender to serve their sentence are reimposed, with Moving Defendants to re-execute their previously entered personal recognizance bonds within seven days of their release, EXCEPT THAT no posting of cash bail shall be required.

Date: 7/1/2022



HONORABLE VALERIE E. CAPRONI
UNITED STATES DISTRICT JUDGE